

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

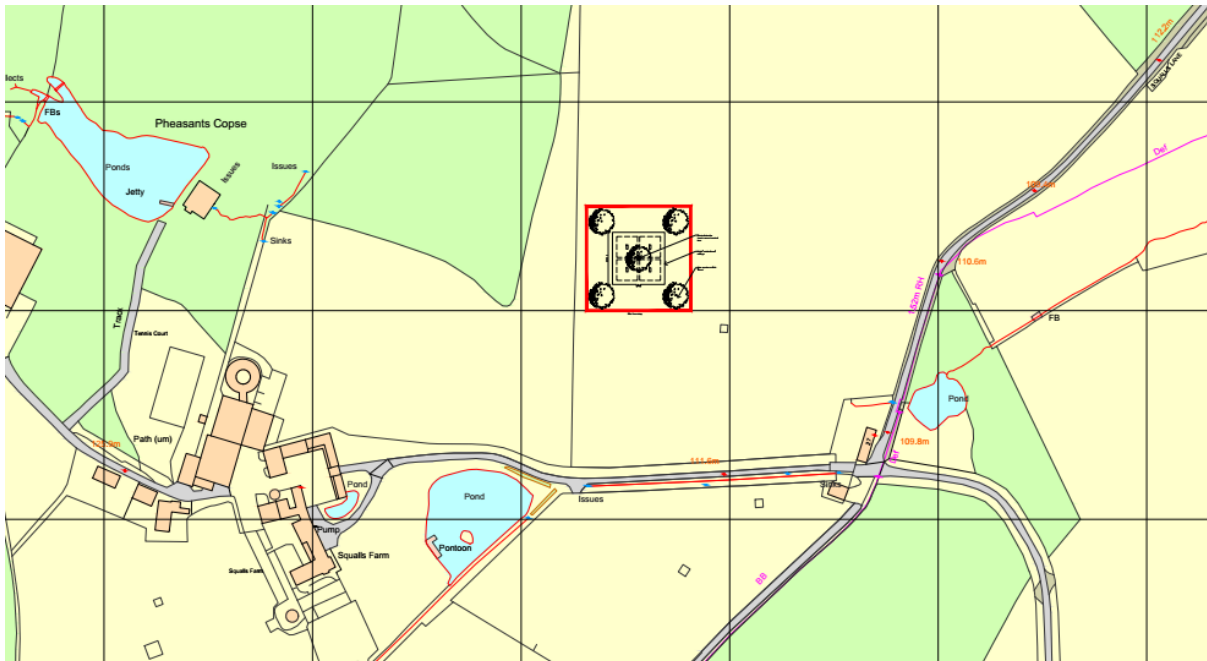
APPLICATION REFERENCE:	PL/2026/01696
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Squalls Farm, Squalls Lane, Tisbury, Salisbury, SP3 6RX
DEVELOPMENT DESCRIPTION:	Change of use of land to form a private 4 plot burial ground
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

Squalls Farm is a located off Squalls Lane and is located to 2miles to the south of Tisbury and 1 mile to the west of Swallowcliffe. The surrounding area comprises agricultural farm land and wooded copse. There are no immediate residential neighbours.

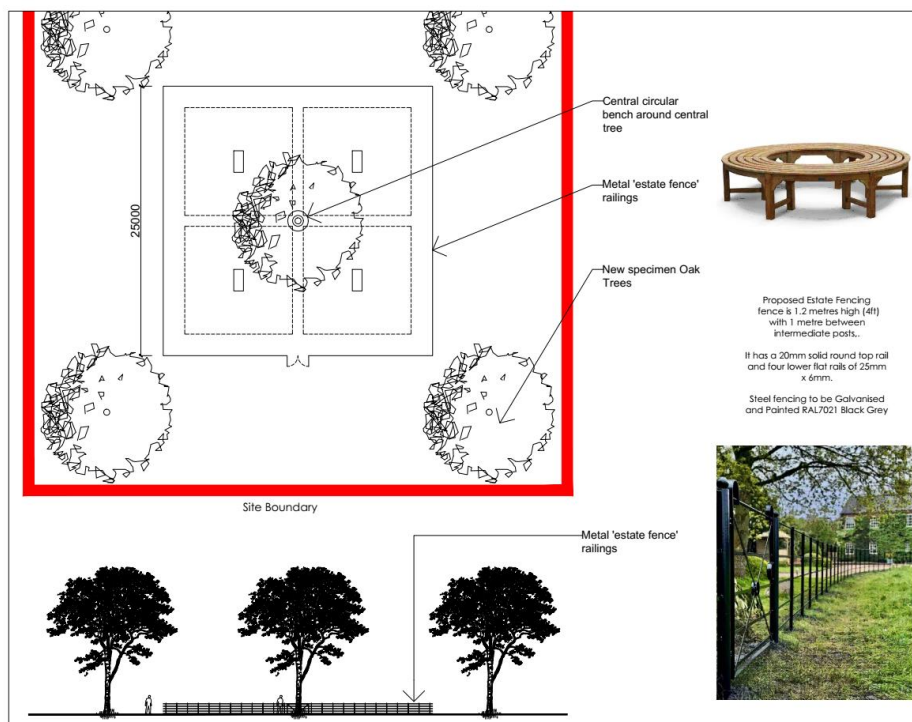
The Squalls Farm estate comprises approximately 75 hectares of land, this application relates to a small parcel of 0.25ha towards the north of the main house.

The Main house is not listed, and the site does not fall within any Conservation Area but does fall within the National Landscape. Squalls Cottage, which is grade II Listed to located over 140m to the South East. Pheasants Copse, to the West of the site is also an Ancient Woodland and a public footpath TISB63 running along the North of the proposed burial site.



PROPOSAL

The proposal seeks approval for the change of use of a parcel of land, which is currently agricultural, to a private burial ground (Sui Generis use). The burial site would consist of four burial plots, with low level estate railings surrounding, a circular central bench and some tree planting.



PLANNING HISTORY

Proposal / Summary
2008/9492 - Two storey detached timber/log development possibly without planning permission - SQUALLS LANE, TISBURY, SALISBURY, SP3 6RX –
S/1998/1147 - Full planning permission Decision - Approve with Conditions Date: 21/8/1998 – TWO STOREY EXTENSION TO DWELLING
S/2009/0711 - Full planning permission Decision - Approve with Conditions Date: 13/7/2009 – ERECTION OF TIMBER FISHING LODGE (RETROSPECTIVE)
S/2004/2693 - Full planning permission Decision - Approve with Conditions Date: 9/2/2005 – TWO STOREY EXTENSION TO EXISTING WING OF RESIDENCE TO PROVIDE LIBRARY/STUDY AT GROUND FLOOR BEDROOM PLUS DRESSING ROOM AND EN-SUITE BATHROOM AT FIRST FLOOR

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 23 Southern Community Area
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;

ISSUES

The main issues that need to be addressed in this case include:

- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact and ecology (CP50 & CP51)

CONSULTATION RESPONSES

WC Archaeology: No objection

WC Public Protection: No comment

WC Ecology: No objections

WC Drainage: No objections: *The proposed development will not result in any increase in impermeable area. In addition, no features are planned that would obstruct existing overland flow paths or cause any significant alteration to these routes.*

Environment Agency: No objection but highlights the following:

We have **no objection** to the development proposed but wish to provide the following **informative**, to be included with the granting of planning permission.

Informative – Environmental Permit for New Cemetery

Operating a cemetery without an environmental permit from the Environment Agency is an offence, unless the development meets the exemption criteria. New cemetery developments must do one of the following:

- Meet all the criteria in the exemption for low environmental risk cemeteries. See “Low environmental risk cemeteries: exemption conditions”.
- Operate under a standard rules permit. The Environment Agency has recently consulted on proposed standard rules permits for cemetery developments and hopes to make this option available in the future. For further details and guidance see “Protecting groundwater from human burials”.
- Operate under a bespoke permit. See the “bespoke permits” section of our cemeteries guidance.

Permit applications must include a groundwater risk assessment prepared in line with Cemeteries and burials: groundwater risk assessments. For support with the application process, refer to Get advice before you apply for an environmental permit.

Note to Applicant – Culvert Buffer Zone

There is a culvert (ordinary watercourse) less than 8m from the southwest corner of the red line boundary plot for this site. An 8m buffer zone between the culverted watercourse and any development should be kept reducing risk of flooding to the plot.

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised.

Below is a summary of the representations received during the consultation period. Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process.

None received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

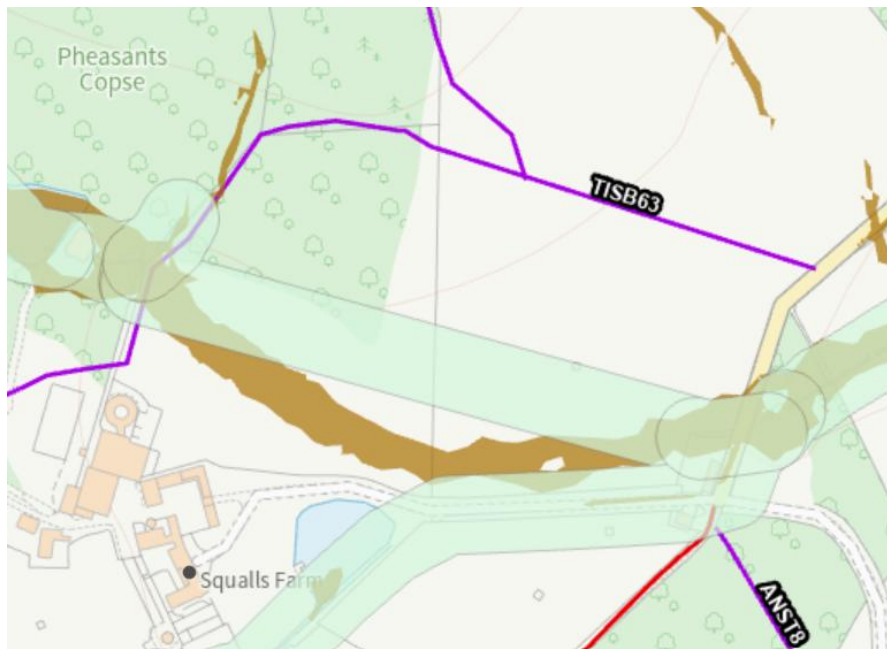
In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

Proposed site plan



Footpath plan

The modest scale of the proposed burial site and low-level fencing ensures the open character of the wider landscape is upheld. The proposal incorporates the planting of new Oak trees which would compliment the site and further screen the burial ground from any wider views.

The scale and design ensure the addition would sit sympathetically within the landscape and would not be overly dominant within the Cranborne Chase & West Wiltshire Downs National Landscape. The proposal is modest and would allow the overall open character of this area of the National Landscape to be retained. In addition, no lighting is proposed.

The proposed position is still considered to be well stepped back from the footpath to the North and West and would not be visually intrusive.

The site is within a private estate and would be a private burial ground associated with the estate only.

The position of the proposed site and the modest scale also ensure the addition would not result in any detrimental effects upon the setting of Squalls Cottage, to the South East.

Amenity

Policy Context

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The National Planning Policy Framework (NPPF) reinforces the need for development to provide a high standard of amenity for both existing and future users.

Due to the position, scale and nature of the proposal, the works would not result in any adverse effects upon any residential amenities.

Ecology and Biodiversity

Policy Context

The ecological impact of development is a key planning consideration, especially for larger schemes. Proposals must assess and address potential effects on:

- Protected species
- Priority habitats
- Ecological networks
- Green and blue infrastructure

Core Policy 50 of the Wiltshire Core Strategy requires development to:

- Avoid harm to ecological assets.
- Deliver measurable Biodiversity Net Gain (BNG), in line with the Environment Act 2021.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

The Council's Ecologist was consulted on the proposal and provided the following comments:

Chilmark Quarries Special Area for Conservation (SAC)

The site lies within consultation zones for Barbastelle and Greater Horseshoe bats, associated with the Chilmark Quarries Bats SAC. It therefore has the potential to result in significant adverse impact on the special features of the SAC.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This must consider potential significant adverse impacts on core roosts, but also sensitive features associated with the SAC, such as foraging areas.

There will be negligible loss of short-sward grassland to accommodate the tree planting and rilling installation. There will be no loss of roosting habitat, and no lighting is proposed. As such, it is concluded that given the scale and nature of the proposed development, there is no mechanism for significant adverse impact on the Conservation Objectives of the SAC, and the proposal can be screened out of Appropriate Assessment.

River Avon Special Area of Conservation (SAC) Hampshire Catchment

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). There is no proposal to create additional overnight accommodation (generating wastewater that would be discharged into the catchment). Further, upon considering change of use of the land, there still remains a significant distance between the SAC and the site (~3km). As such, it is concluded that there is no overall mechanism for adverse effect on the SAC. The HRA has concluded that the application is not

likely to have significant impacts on the SAC and subsequently the application is screened out of Appropriate Assessment.

Biodiversity Net Gain

From 12 February 2024 Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Based on the information available the biodiversity gain planning condition is not considered to apply to this application as the development meets the following criteria and is therefore below the de minimis threshold, meaning the development:

o does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
o impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Flood Risk and Drainage

Policy Context

Core Policy 67 of the Wiltshire Core Strategy and NPPF (Section 18) require:

- Avoidance of increased flood risk.
- Use of appropriate mitigation measures.
- Application of the sequential and exception tests for developments in Flood Zones 2 or 3.

The site does not fall within flood zone 2 or 3 and is therefore considered a low-risk area.

The Environment agency was consulted on the proposal and raised no objections but did highlight that There is a culvert (ordinary watercourse) less than 8m from the southwest corner of the red line boundary plot for this site. An 8m buffer zone between the culverted watercourse and any development should be kept reducing risk of flooding to the plot.

Following this advice amended plans were submitted reposition the proposed plot 10m Northwards to ensure adequate distancing from the Culvert.

In addition, the Councils Drainage consult raised no objections to the proposal.

CONCLUSION:

Due to the nature and modest scale of the proposal the works are considered acceptable and would not result in any visual harm upon the wider character and appearance of the Cranborne Chase & West Wiltshire Downs national landscape and would not affect any residential amenities. Following the amended position of the burial plot it is now considered an adequate distance away Culvert and therefore addressing the point raised by the Environment Agency.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

26/PI001/001 Rev A Location plan received 02/09/26

26/PI001/002 Rev A Site plan received 02/09/26

26/PI001/003 Detail plan and elevations received 12/03/26

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE: Environmental Permit for New Cemetery

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- Meet all the criteria in the exemption for low environmental risk cemeteries. See "Low environmental risk cemeteries: exemption conditions".
- Operate under a standard rules permit. The Environment Agency has recently consulted on proposed standard rules permits for cemetery developments and hopes to make this option available in the future. For further details and guidance see "Protecting groundwater from human burials".
- Operate under a bespoke permit. See the "bespoke permits" section of our cemeteries guidance.

Permit applications must include a groundwater risk assessment prepared in line with Cemeteries and burials: groundwater risk assessments. For support with the application process, refer to Get advice before you apply for an environmental permit.

INFORMATIVE: There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land because of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.